

## **8.0 ADDITIONAL REQUIREMENTS**

### **8.1 Permit Requirements**

Chapter 70.105D RCW exempts remedial actions conducted under a consent decree, order, or agreed order from the procedural requirements of Chapters 70.94, 70.95, 70.105, 77.55, 90.48, and 90.58 RCW and of any laws requiring or authorizing local government permits or approvals. However, Ecology shall require and determine compliance with the substantive provisions of such permits or approvals. In addition, any permits required under federal law to perform the cleanup must be obtained.

### **8.2 Work Plan**

A Work Plan that describes the cleanup actions and planning shall be prepared following the acceptance of the Final Cleanup Action Plan (FCAP) pursuant to WAC 173-340-400(4). The Work Plan will include an Engineering Design Report per WAC 173-340-400(4)(a), Construction Plans and Specifications per WAC 173-340-400(4)(b), an Operation, Maintenance, and Monitoring Plan (OMMP; see below) per WAC 173-340-400(4)(c), an Institutional Controls Plan, and a schedule of activities required to complete the selected cleanup actions.

### **8.3 Operation, Maintenance, and Monitoring Plan**

The OMMP will be prepared to assure performance and compliance in accordance with WAC 173-340-410 for all cleanup actions and shall include:

- A Sampling and Analysis Plan which shall specify procedures that ensure that sample collection, handling, and analysis will result in data of sufficient quality to evaluate the effectiveness of remedial actions at the Site. The Sampling and Analysis Plan shall be prepared by the implementers of the remedial action and shall include the elements defined in WAC 173-340-820.
- Data analysis and evaluation procedures used to demonstrate and confirm compliance with, and justification for these procedures.
- Other information as required by Ecology.

Ecology will require the inclusion of a detailed sampling and analysis plan at the time of the engineering design document. The sampling plan and engineering design document will be released to the public and other regulatory authorities charged with protecting the Spokane River. Initiation of the remedial actions will only begin after engineering designs and a sampling and analysis plan are accepted by Ecology.

The nature and extent of sampling activities will be dependent on the location. Ecology will require sampling to further define the nature and extent of the PCB-contaminated sediments at Deposit 2 to assure proper delineation and understanding of the existence of contaminants at that location. Anticipated excavation of the contaminants from Deposit 2 will be confirmed by post dredging sampling. Limited sediment sampling will also be required to ensure the residual sand cap is free of contaminants. Continued long-term sampling of Deposit 2 is not expected to be required by Ecology. The number of samples required and the frequency of monitoring events

will be higher for Deposit 1. Since contaminated sediment is being left in place, an expanded sampling regime will be required to ensure the long-term effectiveness of the in-situ sediment cap. Ecology will require that a tiered monitoring program be implemented for the Upriver Dam PCB Site. Although the frequency and extent of sampling will diminish over time, monitoring events for Deposit 1 will be required by Ecology to complete 5-year reviews of the effectiveness of the remedial action, in perpetuity. Unscheduled monitoring or inspections will also be conducted following major flood events in order to confirm that the additional armor layer included in design specifications for the sediment cap (Alt. 3D) protects the underlying layers of the cap from erosional forces. Ecology will review sampling and analysis plans to ensure that monitoring activities are stringent enough to ensure the performance of the remedy. Ecology will oversee monitoring activities and will review all relevant reports and analytical data ensuring that the selected cleanup actions provide long-term protection of human health and the environment.

#### **8.4 Worker Health and Safety Plan**

A Health and Safety Plan will be prepared pursuant to WAC 173-340-810(2). The plan will address all applicable federal or state worker safety requirements.

## 9.0 IMPLEMENTATION SCHEDULE

A projected schedule for implementation of the selected cleanup actions is generally summarized in Table 4. Submittal of the following documents for Ecology's review and approval will be required within 60 days of the effective date of the CAP Consent Decree:

- a) A Remedial Design Work Plan that includes plans for:
  - i) An Engineering Design Report;
  - ii) Construction Plans and Specifications (including as-built drawings upon completion);
  - iii) An Operation, Maintenance, and Monitoring Plan (OMMP; including a Sampling and Analysis Plan that also addresses compliance and performance) and,
  - iv) Institutional Controls Plan
- b) A Health and Safety Plan.

A public comment period may be provided for some of the materials listed above. It may be appropriate to combine the information in these various documents into one report to avoid unnecessary duplication. Where the information is contained in other documents it may also be appropriate to incorporate those documents by reference

Ecology anticipates that a work plan schedule shall establish a plan for planning and construction in 2005 and 2006. Deposits 1 and 2 may follow separate implementation schedules, but both are expected to be completed by the end of 2006. The party implementing the remedy will be required to acquire all necessary permits and access agreements. The party implementing the selected remedy will also be required to notify Ecology in a timely manner of progress or any extenuating circumstances that will affect the implementation schedule. An implementation schedule is provided in Table 4. The OMMP will also include procedures for establishing a contingency plan in the event that the selected remedy fails to meet cleanup requirements established in this FCAP.

GENERALIZED SCHEDULE OF IMPLEMENTATION		
Task	Deposit of Concern	Completion Date
Submittal of Remedial Design (RD) Work Plan	Deposits 1 and 2	Within 60 days of the effective date of the Consent Decree implementing the CAP
Construction of Remedies	Deposits 1 and 2	Completion by end of 2006
Submit Final Cleanup Action Report, including results of confirmational sampling.	Deposits 1 and 2	Within three months of the completion of construction associated with cleanup actions.

Table 5. General Schedule of implementation of tasks associated with the Spokane River Upriver Dam PCB Site

A final cleanup action report will be required by Ecology soon after the completion of construction activities related to the selected cleanup actions and include as-builts and other appropriate completion information, including any potential institutional controls implemented.

## 10.0 REFERENCES CITED

Anchor Environmental, L.L.C. February 2005. Focused Remedial Investigation Report, Upriver Dam PCB Sediments Site. Prepared for Avista Development, Inc. and Kaiser Aluminum & Chemical Corporation. December 2004.

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